

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29727 of 2025

Arising Out of PS. Case No.-385 Year-2024 Thana- BAHERI District- Darbhanga

Sumant Kumar @ Sumant Kumar Yadav S/o Arun Kumar Yadav R/o Village-
Harinagar, Ps- Baheri, Dist- Darbhanga

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kiran Devi W/o Sumant Kumar Yadav, D/o Arun Yadav R/o vill - Harinagar,
P.S.- Baheri, Distt.- Darbhanga

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Baidyanath Prasad, Advocate
For the State	:	Ms. Sucheta Yadav, APP
For the Informant	:	Mr. Kedar Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 03-09-2025 Heard the parties.

2. The petitioner apprehends his arrest in connection with Baheri P.S. Case No. 385 of 2024 for the offence registered under Sections 85, 126(2), 115(2), 352, 351(2) and 3(5) of the BNS, 2023 corresponding to Sections 498(A), 341, 323, 504, 506, 34 of the IPC lodged on 03.11.2024 by the informant Kiran Devi.

3. As per the prosecution story, the informant alleged that she got married with the petitioner and used to live in Delhi. Later, the petitioner told her that she is going to visit his native village and shall return thereafter, but found his mobile switched off. When she tried to contact, ultimately, he was going to



solemnize second marriage. After the Panchayati, they stayed together for sometime, but again, abused/ assaulted which led to the FIR.

4. Learned counsel for the petitioner submits that no such marriage took place, forcibly, the informant has stuck the girl on them by implicating them. He is a student of 19 years and has no criminal antecedent.

5. Learned counsel for the informant, on the other hand, submits that the marriage took place and it has also come in the learned Sessions Judge's order as also the case diary.

6. Considering the submissions of the parties as also the fact that the petitioner is a young boy, has no criminal antecedent, the case is there, an undertaking has been given that he shall be diligently appearing in the trial and co-operating in the investigation, in that background, this Court is inclined to grant him the anticipatory bail with conditions.

7. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-VII, Darbhanga in connection with Baheri P.S. Case No. 385 of 2024 subject to



condition as laid down under Section 438 (2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioner, who shall provide official document to show is *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

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